

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McAllen, Texas
United States District Court
Southern District of Texas
FILED

UNITED STATES OF AMERICA

V.

APR 01 2020

CRIMINAL COMPLAINT

Vidal Rico III

Principal

Case Number:

213 307 125

YOB: 1988

United States

David J. Bradley, Clerk

M-20-0832-M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about March 30, 2020 in Starr County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Kevin Amaya-Marquez, a citizen and national of El Salvador, and Raul Macario-Cristino, a citizen and national of Mexico, along with two (2) other undocumented aliens, for a total of four (4), who had entered the United States in violation of law, did knowingly transport, or move or attempted to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Roma, Texas to the point of arrest near Roma, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) U.S. Border Patrol Agent and that this complaint is based on the following facts:

On March 30, 2020, a Border Patrol Agent located foot prints of approximately four (4) people, traveling away from the Rio Grande River, near Roma, Texas, and notified nearby agents. This area is commonly used by alien and narcotic smugglers due to its seclusion and dense vegetation.

An agent responded to the area and deployed a service issued Drone. The Drone operator eventually observed four (4) suspected undocumented aliens running in the nearby brush and boarding a grey pickup truck. The Drone operator advised agents near the area of his observations. Border Patrol Agents responded to the area and observed a grey Ford Explorer pickup truck traveling in their direction at a high rate of speed. The grey Explorer drove around one Border Patrol unit and nearly collided with another as it swerved past them at a high rate of speed.

I declare under penalty of perjury that the statements in this complaint are true and correct. Executed on April 1, 2020.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Approved by: AUSA Frances Blake

/s/ Annjeri Skarboszewski

Signature of Complainant

Submitted by reliable electronic means, sworn to attested to telephonically per Fed. R. Cr. P. 4.1, and probable cause found on:

Annjeri Skarboszewski Border Patrol Agent

Printed Name of Complainant

April 1, 2020

Date

at McAllen, Texas

City and State

J Scott Hacker, U. S. Magistrate Judge
Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-20-0832-M

RE: Vidal Rico III

CONTINUATION:

The Drone operator maintained visual of the grey Explorer and provided agents with its direction of travel. The grey Explorer disregarded a red light and eventually crashed into a building. Immediately thereafter, an agent observed the driver, later identified as Vidal Rico III, a United States Citizen, exit the driver seat area, wearing a blue shirt. A foot pursuit ensued and Rico was eventually apprehended.

Simultaneously, agents located two (2) subjects inside the grey Explorer and an additional two (2) subjects behind a nearby building. All four (4) subjects were determined to be illegally present in the United States.

PRINCIPAL STATEMENT:

Vidal Rico III, a United States Citizen, was advised of his Miranda Rights stated he understood his Rights, and agreed to provide a sworn statement.

Rico, claimed that he was contact by a friend who asked him if he wanted to transport some people for money. Rico accepted and was to receive \$100 per undocumented alien. Rico stated that he followed his friend, in his vehicle, to the pickup location. Rico indicated that four (4) people boarded his vehicle and added that he immediately saw Border Patrol vehicles. Rico stated that he sped off and while trying to turn he crashed his vehicle into a building.

MATERIAL WITNESSES STATEMENTS:

Kevin Amaya-Marquez, a citizen of the El Salvador, was advised of his Miranda Rights, stated he understood his Rights, and agreed to provide a sworn statement.

Amaya claimed that his mother made his smuggling arrangements and that he paid \$2,000 to be smuggled into the United States. Amaya stated that he crossed the Rio Grande River with a group of four (4) people, including himself. Amaya claimed that a person in the group was navigating, via cell phone GPS, through the brush until they arrived to a street. Amaya added that he boarded the vehicle and sat in the back seat. Amaya indicated that the vehicle crashed and he subsequently exited the vehicle.

Raul Macario-Cristino, a citizen of Mexico, was advised of his Miranda Rights, stated he understood his Rights, and agreed to provide a sworn statement.

Macario claimed that he made the smuggling arrangements for himself and his girlfriend and had paid \$40,000 Mexican Pesos to be smuggled into the United States. Macario stated that he and his girlfriend, crossed the river with one other subject. Prior to crossing the Rio Grande River, the smuggler asked Macario for his cell phone and showed him, on a map, where they needed to go. Upon arrival, the smuggler called Macario's cell phone and advised him that a brown in color vehicle was on its way to pick them up. Once the brown vehicle arrived, the driver instructed them to get in the vehicle and keep their heads down. Macario stated that the driver was driving very fast and crashed shortly after. Macario added that the driver exited the vehicle and left them inside. Macario stated that he and his girlfriend exited the vehicle and were arrested by Border Patrol Agents shortly thereafter.